

RESOLUTION NO: 03 :2016

**A RESOLUTION ADOPTING A MODERN AND ACCURATE LEGAL DESCRIPTION
OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE 07:93**

WHEREAS, the City of Morehead enacted Ordinance 07:93 on April 12, 1993 annexing to the City of Morehead an unincorporated territory lying adjacent to and contiguous with the present city boundaries, and being in Holiday Estates;

WHEREAS, said territory contains a prior survey prepared by now unknown individual and the boundary lines of said territory have been questioned;

WHEREAS, the City wishes to provide a modern, accurate, easily identifiable legal description reflecting bearings and coordinates based upon the state plane coordinate system, including relevant GPS and GIS data, save having been certified by a professional land surveyor;

WHEREAS, the City wishes to comply with the requirements of Amended KRS 81A.470, effective July 13, 2004; and

WHEREAS, the City does not intend to amend or replace its prior ordinance annexing said property, but rather to interpret the defined boundaries of the territory previously annexed and adopt a modern and accurate legal description of territory previously annexed:

NOW, THEREFORE, BE IT RESOLVED by the Board of City Council of the City of Morehead, Kentucky as follows:

Section 1. That the Board of City Council of the City of Morehead hereby adopts the attached legal description and plat as prepared by Richey B. Newton, PLS 3674 with Vision Engineering, LLC by new survey as an accurate depiction of the property previously annexed into the corporate city limits of the City of Morehead by Ordinance 07:93 dated April 12, 1993, a copy of which is attached hereto was "Exhibit 2" and hereby adopts said new legal description and plat as the official legal description and plat for all purposes when referencing this prior annexation.

Section 2. This new legal description as prepared by Richey B. Newton, a licensed land Surveyor No. 3674 is as follows:

City of Morehead, Kentucky
Annexation Ordinance 07:093 Correction
Legal Description

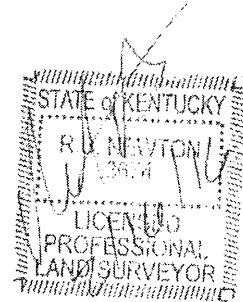
A certain parcel of land lying on the waters of the North Fork of Triplett Creek within Holiday Estates Subdivision, adjacent to the corporate limits of the City of Morehead, County of Rowan, Commonwealth of Kentucky and more particularly described as follows:

Beginning at a set ½" X 18" rebar with plastic cap stamped "VISION PLS 3674" (set rebar) at the point of intersection of the existing City of Morehead Corporate Boundary and the northern line of the 50.00' Right-of-Way of Fraley Drive as depicted on Plat of Holiday Estates Subdivision recorded in Plat Cabinet 1, Slide 229 of the Rowan County Court Clerk's records, said point being located at NAD 1983 Kentucky State Plane North Zone Coordinate N:254173.012, E:1864959.567; thence with the existing City of Morehead Corporate Boundary line crossing said 50.00' Right-of-Way and severing Lots 11 and 12 of Section 2, Block B of said Holiday Estates Subdivision for two (2) calls:

1. South 54° 16' 17" East 291.77 feet;
2. South 55° 46' 35" East 108.14 feet to a point in the south line of said Lot 12; thence with the southern lines of Lots 12, 13 14 and 15 of said Holiday Estates Subdivision for two (2) calls:
3. North 63° 10' 20" East 1.12 to a found 5/8" dia. rebar (found rebar), the southwest corner of Lot 13;
4. North 63° 10' 20" East 490.00 feet to a found rebar, the southeast corner of Lot 15; thence with the eastern line of said Lot 15 for one (1) call:
5. North 35° 21' 43" West 337.44 feet to a point in the southern line of said 50.00' Right-of-Way line of Fraley Drive; thence crossing said Fraley Drive for one (1) call: North 35° 21' 43" West 50.00 feet to a set rebar in the northern line of said 50.00' Right-of-Way; thence with said Right-of-Way line for four (4) calls:
6. South 52° 08' 15" West 123.41 feet;
7. South 58° 10' 23" West 104.58 feet;
8. South 62° 33' 54" West 234.85 feet;
9. South 66° 02' 07" West 120.43 feet to the Point of Beginning containing 4.56 Acres.

This description is based on a field survey conducted under the direction of Richey B. Newton, PLS 3674 with Vision Engineering, LLC located at 3399 Tates Creek Road, Lexington Kentucky on 2/1/16. The basis of bearings is a static GPS observation using Topcon Hiper V dual frequency receivers taken on 2/1/16 and an OPUS solution, and is referenced to NAD 1983 Kentucky State Plane North Coordinates.


It is the intent of this survey and description to more completely and accurately delineated City of Morehead Annexation Ordinance 07:093 originally submitted to the Kentucky Secretary of State Land Office on April 16, 1993.



PASSED AND ADOPTED by the City Council of the City of Morehead this 14th
day of March, 2016.


James Thomas Trent, Mayor

ATTEST:


Crissy Cunningham, City Clerk

CITY OF MOREHEAD
I hereby certify that this document is a true
and correct copy of the original document
on file in my office. This the 15th day
of March, 2016
Signed Crissy Cunningham

P.O. BOX 844
JOHN & JOANNE FRALEY 1ST
D.B. 246, PG. 782
PA0061-00-00-012.00



EXISTING CITY
ANNEXATION BOUNDARY

P.O.B.
N 224° 13' 01.2"
E 764° 55' 55.7"

882 FRALEY DR.
HOLIDAY ESTATES SUBDIVISION
LOT 14-SECTION 2-BLOCK A
D.B. 256, PG. 386
PA0061-00-00-012.01

847 FRALEY DR.
HOLIDAY ESTATES SUBDIVISION
LOT 13-SECTION 2-BLOCK A
D.B. 256, PG. 386
PA0062-00-00-003.00

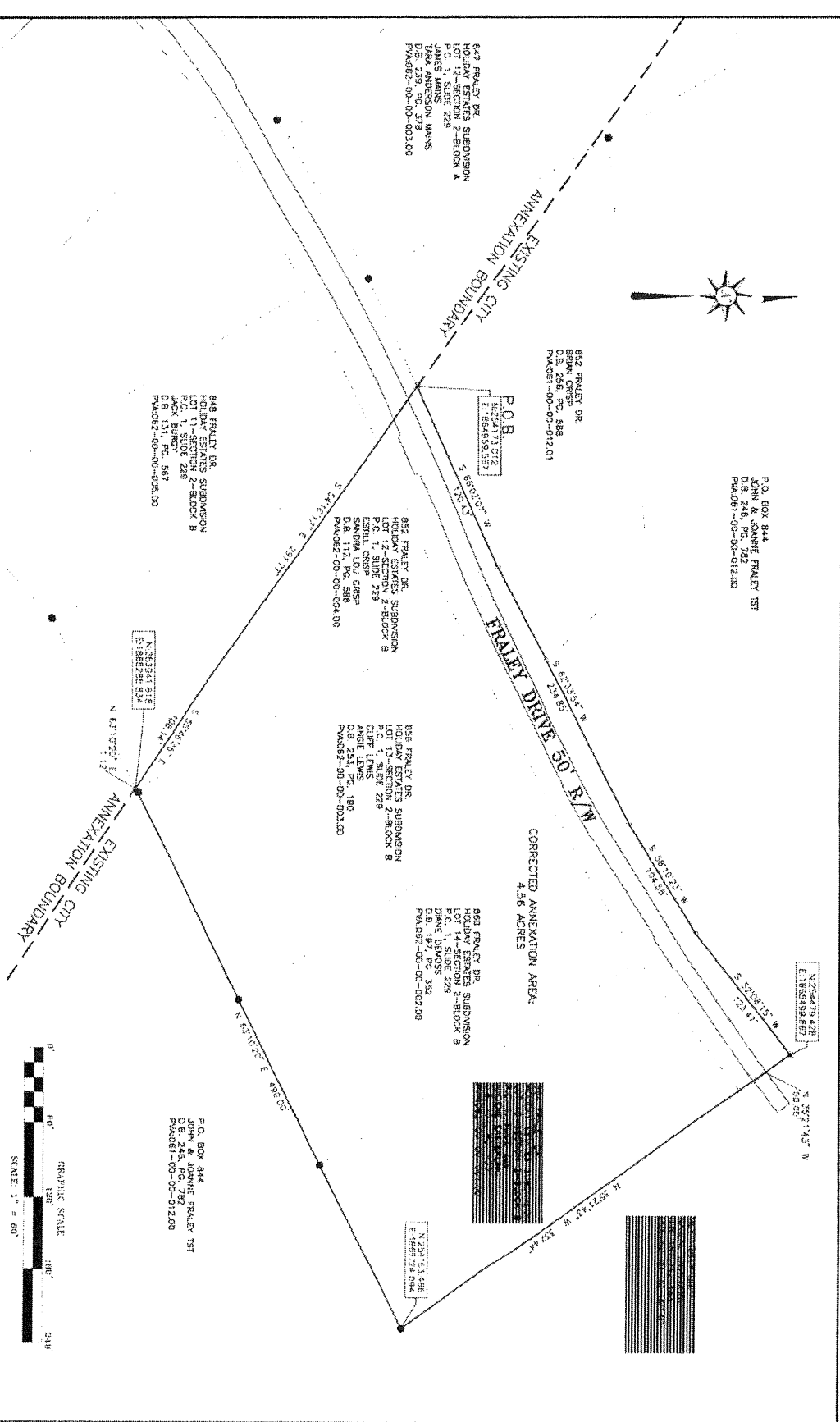
848 FRALEY DR.
HOLIDAY ESTATES SUBDIVISION
LOT 11-SECTION 2-BLOCK B
D.B. 256, PG. 386
PA0062-00-00-005.00

852 FRALEY DR.
HOLIDAY ESTATES SUBDIVISION
LOT 13-SECTION 2-BLOCK B
D.B. 256, PG. 386
PA0062-00-00-004.00

858 FRALEY DR.
HOLIDAY ESTATES SUBDIVISION
LOT 13-SECTION 2-BLOCK B
D.B. 256, PG. 386
PA0062-00-00-003.00

880 FRALEY DR.
HOLIDAY ESTATES SUBDIVISION
LOT 14-SECTION 2-BLOCK B
D.B. 256, PG. 386
PA0067-00-00-002.00

CORRECTED ANNEXATION AREA:
4.56 ACRES

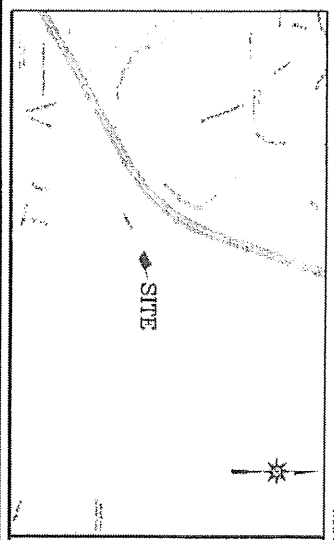
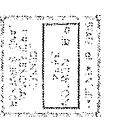


LAND SURVEYORS CERTIFICATION

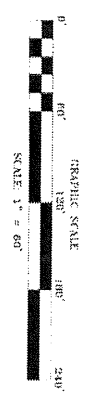
I, the undersigned, being a duly qualified and licensed land surveyor in the State of Kentucky, do hereby certify that the foregoing is a true and correct copy of the original survey as the same appears in my records, and that the same is a true and correct copy of the original survey as the same appears in my records, and that the same is a true and correct copy of the original survey as the same appears in my records.

ANNEXATION CORNER LEGEND

- Surveyed corner
- Estimated corner
- Corner of adjacent property
- Corner of city



VICINITY MAP
N.T.S.



CITY OF MOREHEAD, KENTUCKY
ANNEXATION CORRECTION PLAT
CORRECTING CITY ORDINANCE 07:93
HOLIDAY ESTATES SUBDIVISION
FRALEY DRIVE, MOREHEAD, KY

CLIENT:
CITY OF MOREHEAD, KY
133 BRIDGE STREET
MOREHEAD, KY 40351

APPLICANT:
CITY OF MOREHEAD, KY
133 BRIDGE STREET
MOREHEAD, KY 40351

VISION ENGINEERING

Water Resources, Environmental, Civil & GIS Consultant
3399 Tate's Creek Road Ste 130 Lexington, KY 40502
Ph (859) 559-0516 Fax: (859) 559-0523
www.visionengr.com

Exhibit 1

ORDINANCE NO. 07:93

AN ORDINANCE OF THE CITY OF MOREHEAD, KENTUCKY, ANNEXING TO THE CITY OF MOREHEAD UNINCORPORATED TERRITORY LYING ADJACENT TO AND CONTIGUOUS WITH THE PRESENT CITY BOUNDARIES, AND BEING IN HOLIDAY ESTATES, MORE ACCURATELY DEFINED BELOW.

WHEREAS, the City of Morehead (hereinafter "City") did on March 17, 1993, duly adopt and enact an Ordinance proposing the annexation of the area hereinafter described, which was published in the Morehead News, as prescribed by law; and

WHEREAS, said area is currently contiguous or adjacent to the City's boundary and is suitable for urban purposes without unreasonable delay, and no part of the area to be annexed is included within the boundary of another incorporated city; and

WHEREAS, the owners of the property described herein has consented in writing to the annexation of said property;

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF MOREHEAD, KENTUCKY as follows:

SECTION ONE: The unincorporated territory more accurately defined below which lies adjacent to the present boundaries of the City of Morehead, is hereby annexed to and made a part of the City of Morehead, Kentucky.

SECTION TWO: The territory hereby annexed is accurately defined and described as follows:

SITUATED in Rowan County, Kentucky, to-wit:

TRACT I:

"BEGINNING AT A POINT AT SOUTH RIGHT-OF-WAY OF FRALEY DRIVE AND BEING A CORNER APPARENT CITY LIMIT LINE TO LOT 11 AND LOT 12 OF SECTION 2, BLOCK "B" HOLIDAY ESTATES THENCE, WITH SAID APPARENT CITY LIMIT LINE TO LOT 11 AND 12 S 22

Exhibit 2

DEGREES 39' 12" E, 304.06' TO A POINT AT SOUTH BOUNDARY LINE OF SAID LOTS. THENCE, WITH SAID SOUTH BOUNDARY LINE OF LOT 12 THROUGH 15 SECTION 2, BLOCK "B" HOLIDAY ESTATES N 66 DEGREES 00' 00" E, 646.00' TO A POINT AND BEING SOUTHEAST CORNER OF LOT 15. THENCE, WITH EAST BOUNDARY LINE OF LOT 15 N 32 DEGREES 32' 06" W, 337.44' TO A POINT AT SOUTH RIGHT-OF-WAY OF FRALEY DRIVE. THENCE, WITH SAME LINE FOR 50.00' TO A POINT AT NORTH RIGHT-OF-WAY OF FRALEY DRIVE. THENCE, WITH SAID RIGHT-OF-WAY FOR 4 CALLS (1) S 54 DEGREES 59' 36" W, 124.00' MORE OR LESS TO A POINT. (2) S 61 DEGREES 00' 00" W, 105.08' TO A POINT. (3) S 65 DEGREES 32' 36" W, 235.97' TO A POINT. (4) S 68 DEGREES 49' 30" W, 121.00 MORE OR LESS TO A POINT. THENCE, CROSSING SAID DRIVE S 22 DEGREES 39' 12" E, 50.00' TO THE POINT-OF-BEGINNING."

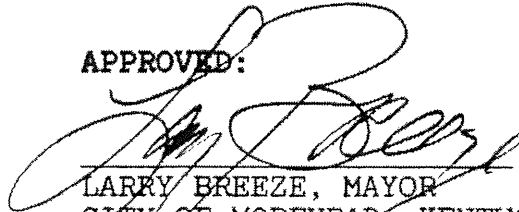
SECTION THREE: A map of said area is attached to this ordinance and incorporated herein by reference.

SECTION FOUR: The City Clerk is authorized and directed to immediately publish this ordinance pursuant to KRS Chapter 424 in the Morehead News of Morehead, Kentucky, and it shall take effect from and after its passage, signing, and publication as required by law.

INTRODUCED, SECONDED, AND GIVEN FIRST READING AT A DULY CONVENED MEETING OF THE CITY COUNCIL OF THE CITY OF MOREHEAD, KENTUCKY, HELD ON THIS 7th DAY OF April, 1993.


INTRODUCED, SECONDED, AND GIVEN SECOND READING AT A DULY CONVENED MEETING OF THE CITY COUNCIL OF THE CITY OF MOREHEAD, KENTUCKY, HELD ON THIS 12th DAY OF April, 1993.

APPROVED:



LARRY BREEZE, MAYOR
CITY OF MOREHEAD, KENTUCKY

ATTEST:


DIANA LINDSEY, CITY CLERK

4-16-93
Date of Publication

I, DIANA LINDSEY, DULY APPOINTED CITY CLERK OF THE CITY OF MOREHEAD, KENTUCKY, DO HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF THE ORIGINAL INSTRUMENT ON FILE IN MY OFFICE. THIS THE 16TH DAY OF APRIL, 1993.


DIANA LINDSEY, CITY CLERK

200

STACE
BURRY
HOUSE
NORSE
CITY

112-588
COUNTY

ESNICK

CRISP

ALICE
127-699

COSSER

127-479
HOUSE

JAMES
MARTIN

135-429

HOUSE

LAVERNA

COUNTY

EASTERN

JB & JF
A-2C-83

6-2-89

3-23-88

6-2-89

City of Morehead, Kentucky

Annexation Ordinance 07:093 Correction

Legal Description

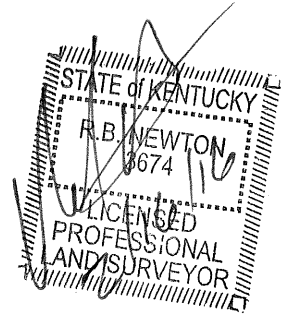
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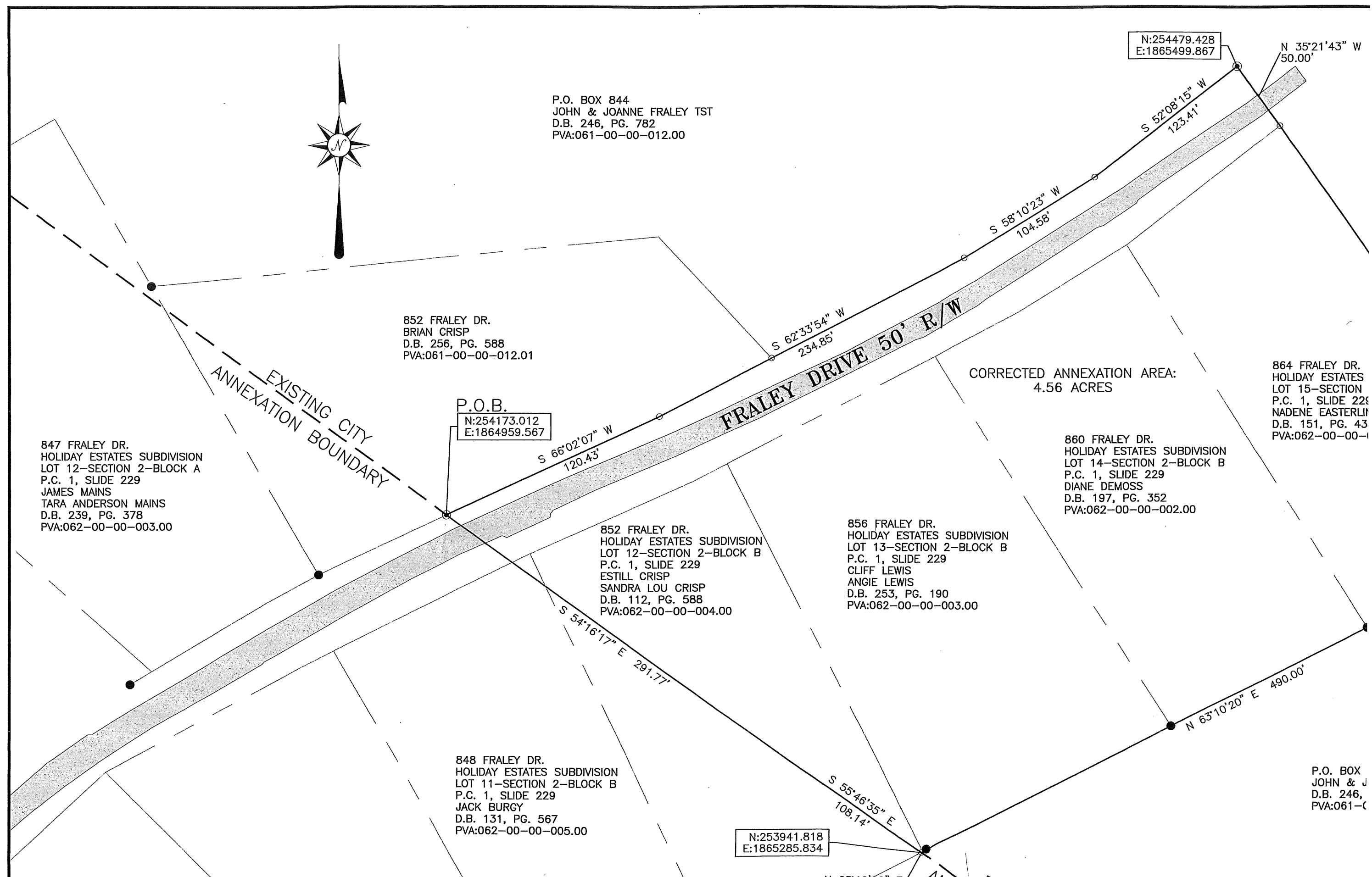
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P.O. BOX 844
JOHN & JOANNE FRALEY TST
D.B. 246, PG. 782
PVA:061-00-00-012.00

852 FRALEY DR.
BRIAN CRISP
D.B. 256, PG. 588
PVA:061-00-00-012.01

P.O.B.
N:254173.012
E:1864959.567

847 FRALEY DR.
HOLIDAY ESTATES SUBDIVISION
LOT 12-SECTION 2-BLOCK A
P.C. 1, SLIDE 229
JAMES MAINS
TARA ANDERSON MAINS
D.B. 239, PG. 378
PVA:062-00-00-003.00

852 FRALEY DR.
HOLIDAY ESTATES SUBDIVISION
LOT 12-SECTION 2-BLOCK B
P.C. 1, SLIDE 229
ESTILL CRISP
SANDRA LOU CRISP
D.B. 112, PG. 588
PVA:062-00-00-004.00

856 FRALEY DR.
HOLIDAY ESTATES SUBDIVISION
LOT 13-SECTION 2-BLOCK B
P.C. 1, SLIDE 229
CLIFF LEWIS
ANGIE LEWIS
D.B. 253, PG. 190
PVA:062-00-00-003.00

CORRECTED ANNEXATION AREA:
4.56 ACRES

860 FRALEY DR.
HOLIDAY ESTATES SUBDIVISION
LOT 14-SECTION 2-BLOCK B
P.C. 1, SLIDE 229
DIANE DEMOSS
D.B. 197, PG. 352
PVA:062-00-00-002.00

864 FRALEY DR.
HOLIDAY ESTATES
LOT 15-SECTION
P.C. 1, SLIDE 229
NADENE EASTERLIN
D.B. 151, PG. 43
PVA:062-00-00-001.00

848 FRALEY DR.
HOLIDAY ESTATES SUBDIVISION
LOT 11-SECTION 2-BLOCK B
P.C. 1, SLIDE 229
JACK BURG
D.B. 131, PG. 567
PVA:062-00-00-005.00

N:253941.818
E:1865285.834

P.O. BOX
JOHN & J
D.B. 246,
PVA:061-00-00-012.00

P.O. BOX 844
JOHN & JOANNE FRALEY TST
D.B. 246, PG. 782
PVA:061-00-00-012.00

864 FRALEY DR.
NADENE EASTERLING
D.B. 151, PG. 433
PVA:062-00-00-001.01

LEY DR.
ISP
PG. 588
00-00-012.01

P.O.B.
N:254173.012
E:1864959.567

852 FRALEY DR.
HOLIDAY ESTATES SUBDIVISION
LOT 12-SECTION 2-BLOCK B
P.C. 1, SLIDE 229
ESTILL CRISP
SANDRA LOU CRISP
D.B. 112, PG. 588
PVA:062-00-00-004.00

856 FRALEY DR.
HOLIDAY ESTATES SUBDIVISION
LOT 13-SECTION 2-BLOCK B
P.C. 1, SLIDE 229
CLIFF LEWIS
ANGIE LEWIS
D.B. 253, PG. 190
PVA:062-00-00-003.00

860 FRALEY DR.
HOLIDAY ESTATES SUBDIVISION
LOT 14-SECTION 2-BLOCK B
P.C. 1, SLIDE 229
DIANE DEMOSS
D.B. 197, PG. 352
PVA:062-00-00-002.00

864 FRALEY DR.
HOLIDAY ESTATES SUBDIVISION
LOT 15-SECTION 2-BLOCK B
P.C. 1, SLIDE 229
NADENE EASTERLING
D.B. 151, PG. 433
PVA:062-00-00-001.00

CORRECTED ANNEXATION AREA:
4.56 ACRES

P.O. BOX 844
JOHN & JOANNE FRALEY TST
D.B. 246, PG. 782
PVA:061-00-00-012.00

N:253941.818
E:1865285.834

N:254163.466
E:1865724.094

N:254479.428
E:1865499.867

N 35°21'43" W
50.00'

S 52°08'15" W
123.41'

S 58°10'23" W
104.58'

S 62°33'54" W
234.85'

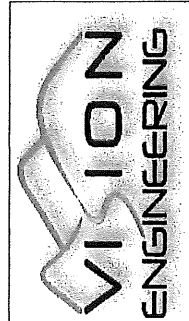
S 66°02'07" W
120.43'

S 54°16'17" E
291.77'

S 55°46'35" E
108.14'

N 63°10'20" E
490.00'

N 35°21'43" W
337.44'

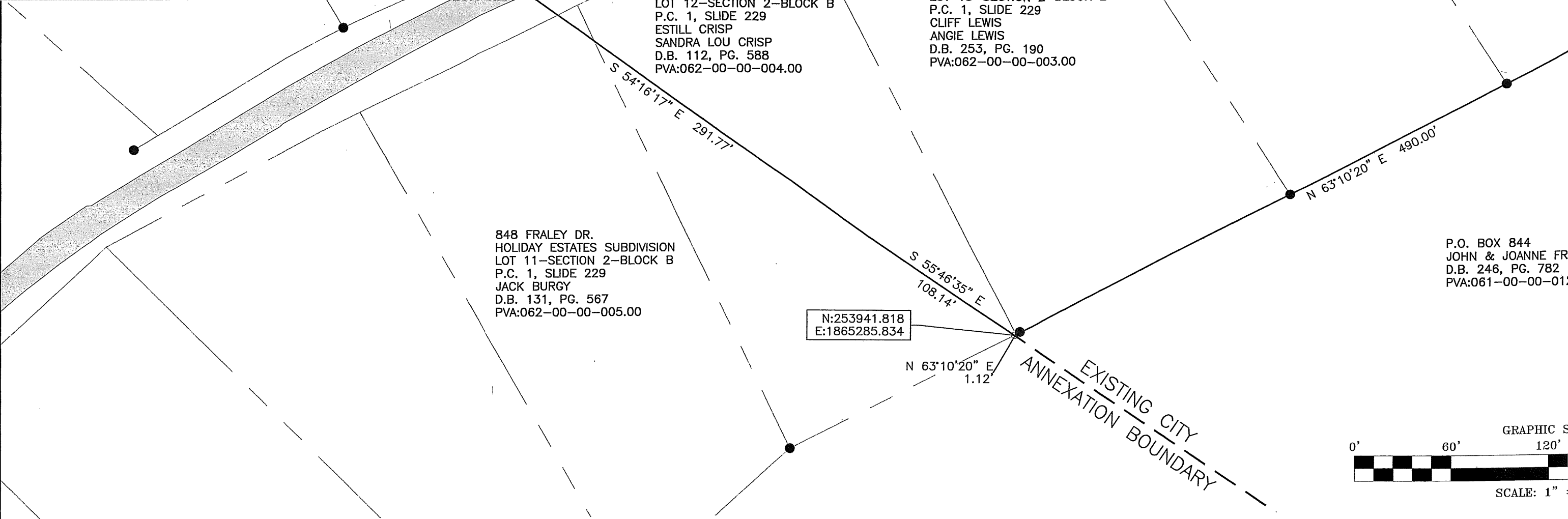


Water Resources, Environmental, Civil & GIS Consultant
3399 Tates Creek Road Ste 130 Lexington, KY 40502
Ph: (859) 559-0516 Fax: (859) 559-0523
www.visionengr.com

CLIENT:
CITY OF MOREHEAD, KY
133 BRIDGE STREET
MOREHEAD, KY 40351

APPLICANT:
CITY OF MOREHEAD, KY
133 BRIDGE STREET
MOREHEAD, KY 40351

MOREHEAD, KENTUCKY
N CORRECTION PLAT
CITY ORDINANCE 07:93
ESTATES SUBDIVISION
DRIVE, MOREHEAD, KY



SURVEY NOTE

THE PURPOSE OF THIS ANNEXATION CORRECTION PLAT IS TO MORE COMPLETELY AND ACCURATELY DELINEATE THE BOUNDARIES OF THE CITY OF MOREHEAD ANNEXATION ORDINANCE 07:93 IN RELATION TO THE CURRENT KENTUCKY SECRETARY OF STATE'S CITY OF MOREHEAD ANNEXATION BOUNDARY AS DEPICTED ON OFFICIAL MAPPING PUBLICATIONS. THE INTENT OF ANNEXATION ORDINANCE 07:93 WAS TO INCORPORATE LOTS 11-15 OF SECTION 2, BLOCK B AND AN ADJACENT 50.00' RIGHT-OF-WAY WITHIN HOLIDAY ESTATES SUBDIVISION AS DEPICTED ON PLAT RECORDED IN PLAT CABINET 1, SLIDE 229 OF THE ROWAN COUNTY CLERK'S RECORDS. THIS PLAT REPRESENTS A CORRECTED CORRELATION BETWEEN SAID LOTS AND RIGHT-OF-WAY AND THE CURRENT CITY OF MOREHEAD CORPORATE BOUNDARY

LAND SURVEYORS CERTIFICATION

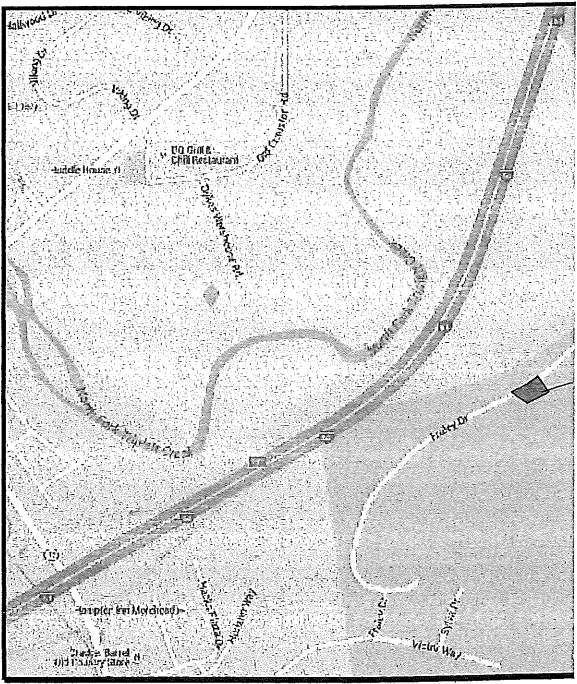
I DO HEREBY CERTIFY THAT THE MUNICIPAL BOUNDARY SHOWN ON THIS PLAT IS BASED ON THE FOLLOWING INFORMATION; AN ACTUAL FIELD SURVEY FOR LOTS 11-15 OF HOLIDAY ESTATES SUBDIVISION AS DEPICTED ON PLAT RECORDED IN PLAT CABINET 1, SLIDE 229 OF THE ROWAN COUNTY COURT CLERK'S RECORDS, THE RECORDS OF THE ROWAN COUNTY PVA, MAPPING DATA AVAILABLE FROM THE KENTUCKY SECRETARY OF STATE'S GIS DATABASE AND PAROLE EVIDENCE COLLECTED IN DISCUSSIONS WITH PROPERTY OWNERS IN THE SUBJECT AREA. THE PURPOSE OF THIS MUNICIPAL BOUNDARY SURVEY IS TO CORRECT THE DELINEATION OF THE CORPORATE LIMITS OF THE CITY OF MOREHEAD AS ORIGINALLY DESCRIBED IN ORDINANCE 07:93. IT DOES NOT IN ANY WAY REFLECT A DETERMINATION OF THE INDIVIDUAL PARCEL BOUNDARIES AND SHOULD NOT BE USED FOR THAT PURPOSE. THE BASIS OF BEARINGS IS A STATIC GPS OBSERVATION USING TOPCON HIPER V DUAL FREQUENCY RECEIVERS TAKEN FEBRUARY 1, 2016 AND AN OPUS SOLUTION, AND IS REFERENCED TO KSPC NORTH ZONE. FIELD SURVEY BY GPS RTK AND OBSERVATIONS USING A TOPCON PS-103 ROBOTIC TOTAL STATION. THE RELATIVE POSITIONAL ACCURACY OF THE SURVEY IS +/-0.03.

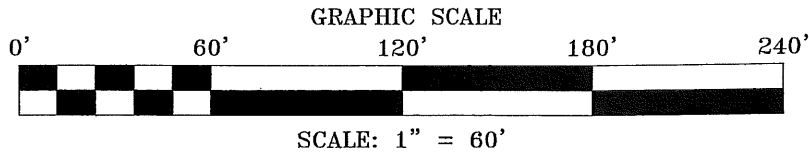
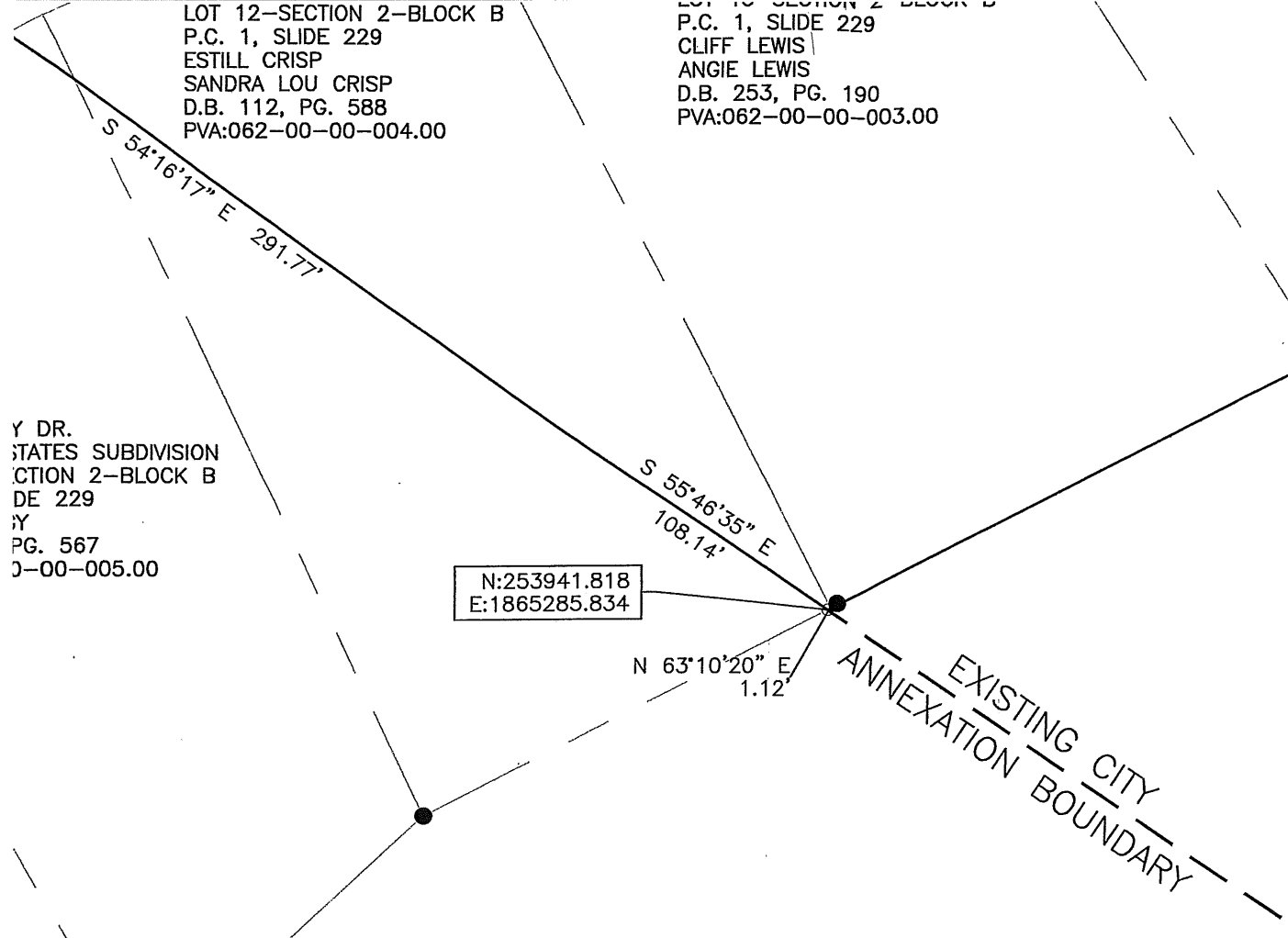
ANNEXATION CORNER LEGEND

- 5/8" DIA. OR 1/2" DIA. REBAR (FOUND)
- ⊙ 1/2" DIA. X 18" REBAR WITH PLASTIC CAP STAMPED "VISION PLS 3674" (SET THIS SURVEY)

STATE of KENTUCKY
R.B. NEWTON
3674
LICENSED
PROFESSIONAL
LAND SURVEYOR

[Signature]
RICHEY B. NEWTON PLS 3674 2/16/16
DATE





VINCINITY MAP
NTS

CITY OF MOREHEAD, KENTUCKY
ANNEXATION CORRECTION PLAT

CORRECTING CITY ORDINANCE 07:93
HOLIDAY ESTATES SUBDIVISION
FRALEY DRIVE, MOREHEAD, KY

LAND SURVEYORS CERTIFICATION

I DO HEREBY CERTIFY THAT THE MUNICIPAL BOUNDARY SHOWN ON THIS PLAT IS BASED ON THE FOLLOWING INFORMATION; AN ACTUAL FIELD SURVEY FOR LOTS 11-15 OF HOLIDAY ESTATES SUBDIVISION AS DEPICTED ON PLAT RECORDED IN PLAT CABINET 1, SLIDE 229 OF THE ROWAN COUNTY COURT CLERK'S RECORDS, THE RECORDS OF THE ROWAN COUNTY PVA, MAPPING DATA AVAILABLE FROM THE KENTUCKY SECRETARY OF STATE'S GIS DATABASE AND PAROLE EVIDENCE COLLECTED IN DISCUSSIONS WITH PROPERTY OWNERS IN THE SUBJECT AREA.

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THE BASIS OF BEARINGS IS A STATIC GPS OBSERVATION USING TOPCON HIPER V DUAL FREQUENCY RECEIVERS TAKEN FEBRUARY 1, 2016 AND AN OPUS SOLUTION, AND IS REFERENCED TO KSPC NORTH ZONE. FIELD SURVEY BY GPS RTK AND OBSERVATIONS USING A TOPCON PS-103 ROBOTIC TOTAL STATION. THE RELATIVE POSITIONAL ACCURACY OF THE SURVEY IS +-0.03.

RICHEY B. NEWTON

PLS 3674

2/16/16
DATE

